

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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EMPIRE STATE CARPENTERS WELFARE,
PENSION, ANNUITY, APPRENTICESHIP,
CHARITABLE TRUST, LABOR MANAGEMENT
CORPERATION, and SCHOLARSHIP FUNDS
and their BOARDS OF TRUSTEES,

MEMORANDUM & ORDER
10-CV-3035(JS)(WDW)

Plaintiffs,

-against-

MAZZCO ENTERPRISES, INC.,

Defendant.

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APPEARANCES

For Plaintiffs: Owen M. Rumelt, Esq.
Levy Ratner P.C.
80 Eighth Avenue, 8th Floor
New York, NY 10011

For Defendant: No Appearances.

SEYBERT, District Judge:

Plaintiffs, certain multi-employer employee benefit plans and their boards of trustees (collectively, "Plaintiffs"), sued Defendant Mazzco Enterprises, Inc. to recover unpaid employee benefit contributions owed to the plans under collective bargaining agreements and related declarations of trust. Defendant has not appeared or otherwise defended this suit, and Plaintiffs moved for a default judgment. On August 2, 2012, Magistrate Judge William D. Wall issued a Report and Recommendation ("R&R") recommending that Plaintiffs be awarded \$108,619.17 in damages, costs, and attorneys' fees. No

objections were filed within the prescribed time.

Judge Wall's R&R is thorough, well-reasoned, and free of clear error. Accordingly, it is ADOPTED in its entirety. The Clerk of the Court is respectfully directed to enter judgment against Defendant and in favor of Plaintiffs in the amount of \$108,619.17. Plaintiffs shall also be entitled to post-judgment interest calculated pursuant to 28 U.S.C. § 1961. The Clerk of the Court is further directed to mark this case CLOSED.

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: September 28, 2012
Central Islip, New York